

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

JOANNA POLANCO, et al.,

Plaintiffs,

v.

UPS FREIGHT SERVICES, INC., et al.,

Defendants.

CIVIL NO. 13-1921 (PAD)

MEMORANDUM AND ORDER

Delgado-Hernandez, District Judge.

On September 30, 2016, the court signed an Order denying the Motion for Summary Judgment at Docket No. 106, and granting in part and denying in part the Motion for Summary Judgment at Docket No. 107, to dismiss Yolanda Escudero's Title VII claims with prejudice and her state claims without prejudice. Additionally, the Order states that an Opinion and Order with the court's reasoning in support of these conclusions would follow. The Order was entered at Docket No. 132 on October 4, 2016.

In the process of editing the Opinion and Order for release, however, the court identified issues requiring further elaboration. The court has realized that the Motion for Summary Judgment as to Polanco at Docket No. 106 must be granted in part and denied in part, instead of being denied in its entirety. More precisely, the motion must be denied except for Polanco's (1) national-origin discrimination claims under Federal and Puerto Rico law; and (2) retaliation claim under Law No. 115 of December 20, 1991. As to Escudero's claims, the court realized that the 42 U.S.C. § 1981 action must be dismissed. An Amended Order is being entered accordingly, together with the corresponding Opinion and Order with the court's reasoning.

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SO ORDERED.

In San Juan, Puerto Rico, this 10th day of November, 2016.

s/Pedro A. Delgado-Hernández
PEDRO A. DELGADO-HERNÁNDEZ
United States District Judge